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FACT SHEET

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Judicial Resources and Technical Assistance (JRTA) Project

The Judicial Resources and Technical Assistance (JRTA) project assists judges and juvenile court professionals with the many legal issues that arise around the findings and orders required to remove a child from his or her home, and continued judicial oversight of the foster care placement to help ensure successful outcomes of federal reviews of California's foster care cases. An attorney, with the permission of the court, assists judges and juvenile court professionals on a regular basis by performing a legal analysis of court case files and identifying legal issues and training needs. Throughout the year attorneys are available to assist judges and other judicial officers and juvenile court professionals directly with questions related to the myriad substantive requirements of federal and state dependency and delinquency law.

Background

When the state intervenes to protect a child from abuse or neglect, it steps into the role of parent. The court, in its unique oversight role, makes decisions that change the lives of children and their families forever. Federal and state laws governing the court's decisions are aimed at ensuring that children are safely maintained at home whenever possible and appropriate; giving children legally permanent and stable living situations; preserving their family relationships and connections; enhancing each family's capacity to provide for their children's needs; and ensuring that children receive appropriate services to meet all of their needs.

The children in the California foster care system are supported through a complex legal and funding scheme. One such source of money is title IV-E of the federal Social Security Act. (42 U.S.C. § 670 et. seq.) Title IV-E provides funding for foster care, including foster care maintenance and administrative costs; adoption, including adoption assistance payments and administrative costs; independent living programs; and education and training vouchers. In federal fiscal year 2010, California received approximately \$200 million in federal foster care maintenance and approximately \$1

billion in federal foster care administrative dollars. In order to receive these funds, the courts, social services departments, and probation departments must comply with the title IV-E legal requirements and our state's laws and policies that implement title IV-E programs. The JRTA Project, funded by the California Department of Social Services, provides attorney resources to courts and juvenile court professionals to assist local courts for periodic federal reviews.

The JRTA project was created in 1995 in response to an eligibility audit of foster care cases by the U.S. Department of Health and Human Services' Office of the Inspector General. Federal auditors determined that 39 percent of the cases reviewed were not eligible for title IV-E funding, and California's programs consequently faced a potential loss of \$51.7 million. More than 10 years later, in June 2003, California passed the title IV-E foster-care eligibility review. The report cited the work of the JRTA project as a strength contributing to the state's compliance. California also passed the 2006, 2009, and 2012 title IV-E foster-care eligibility reviews and the JRTA project's ongoing courtesy reviews of the local juvenile court systems have continued to be an important factor in those successful outcomes. At the 2012 review, for the first time in California, there were no judicial determination errors.

Legal and Court Services

Judicial officers, court staff, attorneys, and department staff are provided assistance to improve compliance with the legal requirements of title IV-E and to ensure that California continues to pass any federal review of foster care cases. The California Department of Social Services provides funding for attorneys to do this work; to visit local juvenile courts, perform a legal analysis of court files, observe courtroom proceedings, and provide written reports and legal memoranda detailing areas in need of legal changes. Attorneys also provide ongoing legal assistance by providing legal information and advice, reviewing and updating court scripts and minute orders, and training to assist with the implementation of their legal advice and recommendations.

On-site Assistance

Attorneys visit the courts on a rotating basis to conduct a courtesy review of court files, performing a legal analysis of the case and checking for the findings and orders necessary to maintain compliance with title IV-E and California's laws and policies that implement title IV-E. During the visit judicial officers are provided with information on, and legal analysis of, this complex and important area of the law. The on-site file review is not an audit. The file review and site visit help to ensure that if a case is selected to be a part of a future federal audit or review, the legal findings

and orders required by title IV-E will be made correctly and will not cause the case to be an error. The date of the court visit is set in consultation with the court.

Ongoing Assistance

After each site visit and courtesy review, the attorney performs a legal analysis of the information gathered from the site visit, conducts legal research if necessary, and provides the presiding juvenile court judge, judicial officers presiding over juvenile court matters, and the appropriate county agencies with reports and county-specific recommendations to help increase compliance with this complex area of the law.

On an ongoing basis, upon request, attorneys provide judicial officers and court staff with information on, and legal analysis of, this complex and important area of the law, as well as follow-up visits and assistance on legally required findings and orders. Attorneys also conduct workshops tailored to meet the individualized needs of the judicial officers, clerks, attorneys, social workers, and probation officers in each county. The workshops focus on federal and state laws and regulations relating to families with children in placements eligible for title IV-E funds, including recent legislation that makes it possible to access federal foster care funding beyond a child's 18th birthday.

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